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Kunzler & McKenzie 8 EAST BROADWAY SUITE 600 SALT LAKE CITY, UT 84111			EXAMINER	
			FEARER, MARK D	
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/763,528	<b>Applicant(s)</b> COLBECK ET AL.	
	<b>Examiner</b> MARK D. FEARER	<b>Art Unit</b> 2143	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 15 May 2008.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-6, 8-19, 21-26 and 28-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6, 8-19, 21-26 and 28-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

- Applicant's Amendment filed 15 May 2008 is acknowledged.
- Claims 1, 11, 16 and 24 have been amended.
- Claims 7, 20 and 27 are cancelled.
- Claims 1-6, 8-19, 21-26 and 28-30 are pending in the present application.

### ***Continued Examination Under 37 CFR 1.114***

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114.

### ***Claim Rejections - 35 USC § 101***

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1-10 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The language of the claim raises a question as to whether the claim is directed merely to an abstract idea that is not tied to a technological art, environment or machine which would result in a practical application

producing a concrete, useful, and tangible result to form the basis of statutory subject matter under 35 U.S.C. 101.

Claims 1-10 claim the non-statutory subject matter of a program (modules). Data structures not claimed as embodied in computer-readable media are descriptive material per se and are not statutory because they are not capable of causing functional change in the computer. See, e.g., Warmerdam, 33 F.3d at 1361, 31 USPQ2d at 1754 (claim to a data structure per se held nonstatutory). Therefore, since the claimed programs are not tangibly embodied in a physical medium and encoded on a computer-readable medium then the Applicants has not complied with 35 U.S.C 101.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1 and 8-10 are rejected under 35 U.S.C. 102(e) as being anticipated by Anderson et al. (US 20040015566 A1).

Consider claim 1. Anderson et al. discloses an apparatus for managing data in a grid computing environment (paragraph 0010), the apparatus comprising: a GUI generation module configured to examine user credentials and generate web-based

graphical user interfaces to view data replications on multiple network nodes and enable a user to initiate modification or deletion of data on a selected node (paragraph 0563); a replication management module configured to conduct data replication operations (paragraph 0074) including directory-based replication operations based on user input (paragraph 0278); and the replication management module further configured to invoke generation of at least one graphical user interface, the at least one graphical user interface (paragraph 0565) configured to facilitate invocation of the data replication operations by a user (paragraphs 0074 and 0278).

Consider claim 8, as applied to claim 1. Anderson et al. discloses an apparatus wherein the replication operations are conducted on search results (paragraph 0241).

Consider claim 9, as applied to claim 1. Anderson et al. discloses an apparatus wherein the replication management module is further configured to change attributes associated with a file (paragraph 0188).

Consider claim 10, as applied to claim 1. Anderson et al. discloses an apparatus wherein the replication management module is further configured to conduct publishing operations (paragraph 0078).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 2-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson et al. (US 20040015566 A1) in view of Midgley et al. (US 20030074378 A1).

Consider claims 2-4. Anderson et al. discloses a manageable collaborative computing system. However, Anderson et al. fails to disclose of a collaborative computing system further comprising a replica location service, at least one replica location index, and at least one local replica catalog. Midgley et al. discloses a replicating system comprising a catalog process that is capable of recording metadata representing the locations of the versions of the target files on the storage medium that creates an index for accessing the versions of a target file ((“In a further aspect, the systems and methods described herein can include backup systems that include a long

term storage system for recording target data files to a storage medium in response to the operation of the dynamic replication process, thereby storing versions of the target file on the storage medium. Additionally, in an optional environment the systems may include a catalog process that can record metadata that is representative of the locations of the versions of the target files on the storage medium to thereby create an index for accessing these versions of the target file. The catalog process may include a mechanism for storing security metadata that is associated with the different versions of the target data files and that is representative of the users access rights for the versions of the target data file.”) paragraph 0021).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate a replicating system comprising a catalog process that is capable of recording metadata representing the locations of the versions of the target files on the storage medium that creates an index for accessing the versions of a target file as taught by Midgley et al. with a manageable collaborative computing system as taught by Anderson et al. for the purpose of web-based grid computing comprising remote sites.

Claims 5-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson et al. (US 20040015566 A1) in view of Zhang et al. (US 20050120353 A1).

Consider claims 5-6. Anderson et al. discloses a manageable collaborative computing system. However, Anderson et al. fails to disclose a grid system comprising a file transfer service. Zhang et al. discloses a data replication system consisting of ftp, grid ftp, http, rft, and file transfer (“The action manager 12, which is the engine of the

framework, receives collaborative messages (or CxP) messages from a design partner side, which can be a Web portal. In each message, it contains meta data or annotations describing the documents to be exchanged, such as the file name, size, author, application to use to open the design file, etc. In addition, annotations can also specify integration activities to be performed, representing new application to be integrated, such as FTP, reliable file transfer (RFT) or an invocation to a legacy adaptor. Also, an alternative data source to the Action Manager, in addition to collaborative messages, is an RDF string.”) paragraph 0024 (“The logical structure of ActivityChain ontology is shown in FIG. 3. The top-level entity is Class Activity. It has a DataTypeProperty securityHandler and an ObjectProperty actname. The ObjectProperty actname has a range which is Class Actname. And Actname is a collection which enumerates GridFTP,FTP, HTTP, Inv-service, Inv-Appl and Search-Annt.”) paragraph 0045).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate a data replication system consisting of ftp, grid ftp, http, rft, and file transfer as taught by Zhang et al. with a manageable collaborative computing system as taught by Anderson et al. for the purpose of reliable file transfer in a collaborative environment.

Claims 11-13, 16-18, and 24 and 8-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Midgley et al. (US 20030074378 A1) in view of Tripp (US 20050015466 A1) and in further view of Anderson et al. (US 20040015566 A1).

Consider claims 11, 16 and 24. Midgley et al. discloses a method for managing data in a grid computing environment, the method comprising: providing a graphical



user interface configured to facilitate invocation of data replication operations by a user including directory-based replication operations ((“The replicated data structure 54 also provides directories, subdirectories and data records.”) paragraph 0040); invoking a replica location service associated with a grid ((“The database can include pointers to the location of the different versions of the target files on the tape, thereby providing more rapid access to the location on the tape that includes the information a user may want to restore.”) paragraph 0041); and conducting the data replication operations in response to selections on the graphical user interface by the user ((“This system can provide a user interface that will allow the user to select a network consumption limit that is representative of the users selected limit for the amount of network bandwidth to be allocated to the backup replication process and the agent process.”) paragraph 0019). However, Midgley et al. fails to disclose a method comprising a dynamic web based graphical user interface, a search interface for discovering replicated data including directory based replicated data, a replica location service configured to aggregate information about local replica catalogs and map logical file names to physical file names, or conduct local or remote data replication and mapping in response to user selections. Tripp discloses a method of peer-to-peer automated anonymous asynchronous file sharing comprising a dynamic web based graphical user interface (paragraph 0081), a search interface for discovering replicated data including directory based replicated data (paragraphs 0029-0030), a replica location service configured to aggregate information about local replica catalogs and map logical file names to physical file names (paragraphs 0069 and 0083), and conduct local or remote

data replication and mapping in response to user selections (paragraph 0084).

Therefore, it would have been obvious for a person of ordinary skill in the art at the time the invention was made to incorporate a method of peer-to-peer automated anonymous asynchronous file sharing comprising a dynamic web based graphical user interface, a search interface for discovering replicated data including directory based replicated data, a replica location service configured to aggregate information about local replica catalogs and map logical file names to physical file names, and conduct local or remote data replication and mapping in response to user selections as taught by Tripp with a method for managing data in a grid computing environment, the method comprising: providing a graphical user interface configured to facilitate invocation of data replication operations by a user including directory-based replication operations; invoking a replica location service associated with a grid; and conducting the data replication operations in response to selections on the graphical user interface by the user as taught by Midgley et al. for the purpose of data retrieval services. However, Midgley et al., as modified by Tripp, fails to disclose a method comprising enabling a user to initiate modification or deletion of data on a selected node. Anderson et al. discloses an electronic item management and archival system and method of operating the same comprising enabling a user to initiate modification or deletion of data on a selected node (paragraph 0563).

Therefore, it would have been obvious for a person of ordinary skill in the art at the time the invention was made to incorporate an electronic item management and archival system and method of operating the same comprising enabling a user to initiate

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modification or deletion of data on a selected node as taught by Anderson et al. with a method of peer-to-peer automated anonymous asynchronous file sharing comprising a dynamic web based graphical user interface, a search interface for discovering replicated data including directory based replicated data, a replica location service configured to aggregate information about local replica catalogs and map logical file names to physical file names, and conduct local or remote data replication and mapping in response to user selections and a method for managing data in a grid computing environment, the method comprising: providing a graphical user interface configured to facilitate invocation of data replication operations by a user including directory-based replication operations; invoking a replica location service associated with a grid; and conducting the data replication operations in response to selections on the graphical user interface by the user as taught by Midgley et al., as modified by Tripp, for the purpose of user initiated data retrieval services.

Consider claims 12 and 17. Midgley et al., as modified by Tripp and Anderson et al., further discloses a method comprising accessing at least one replica location index ((“Additionally, in an optional environment the systems may include a catalog process that can record metadata that is representative of the locations of the versions of the target files on the storage medium to thereby create an index for accessing these versions of the target file.”) Midgley et al., paragraph 0021).

Consider claims 13 and 18. Midgley et al., as modified by Tripp and Anderson et al., further discloses a method comprising accessing at least one local replica catalog ((“The catalog process may include a mechanism for storing security metadata that is

associated with the different versions of the target data files and that is representative of the users access rights for the versions of the target data file.”) Midgley et al., paragraph 0021).

Claims 14 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Midgley et al. (US 20030074378 A1) in view of Tripp (US 20050015466 A1) in further view of Anderson et al. (US 20040015566 A1) and in further view of Zhang et al. (US 20050120353 A1).

Consider claims 14 and 19. Midgley et al., as modified by Tripp and Anderson et al., discloses a system for backing up data files comprising data replication. However, Midgley et al., as modified by Tripp, fails to disclose a system comprising a file transfer service. Zhang et al. discloses a system comprising the file transfer protocols FTP and RFT (“The action manager 12, which is the engine of the framework, receives collaborative messages (or CxP) messages from a design partner side, which can be a Web portal. In each message, it contains meta data or annotations describing the documents to be exchanged, such as the file name, size, author, application to use to open the design file, etc. In addition, annotations can also specify integration activities to be performed, representing new application to be integrated, such as FTP, reliable file transfer (RFT) or an invocation to an legacy adaptor. Also, an alternative data source to the Action Manager, in addition to collaborative messages, is an RDF string.”) paragraph 0024).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate a system comprising the file transfer

protocols FTP and RFT as taught by Zhang et al. with a system comprising data replication as taught by Midgley et al., as modified by Tripp and Anderson et al., for the purpose of file transfer in a grid environment.

Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Midgley et al. (US 20030074378 A1) in view of Tripp (US 20050015466 A1) in further view of Anderson et al. (US 20040015566 A1) and in further view of Flanagan et al. (US 6243737 B1).

Consider claim 15. Midgley et al., as modified by Tripp and Anderson et al., discloses a system for backing up data files comprising data replication. However, Midgley et al., as modified by Tripp and Anderson et al., fails to disclose a system wherein a graphical user interface comprises a web page. Flanagan et al. discloses an interactive web-based solution (“There have been various proposed methods for providing information residing on a host system to customers through the Internet, in particular, using the Web. A typical solution involves adding new software code on the host system that interfaces with Web-based users.”) column 1 lines 29-33).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate an interactive web-based solution as taught by Flanagan et al. with a system comprising data replication as taught by Midgley et al., as modified by Tripp and Anderson et al., for the purpose of inter-operability in a collaborative environment.

Claims 21-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Midgley et al. (US 20030074378 A1) in view of Tripp (US 20050015466 A1) in further view of Anderson et al. (US 20040015566 A1) and in further view of Wolff (US 6886035 B2).

Consider claims 21-23. Midgley et al., as modified by Tripp and Anderson et al., discloses a system for backing up data files comprising data replication. However, Midgley et al., as modified by Tripp and Anderson et al., fails to disclose a data replication system comprising replications operations that are conducted on catalog search results, a method for changing file attributes, or a publishing function. Wolff discloses a client-server system comprising data replication further comprising volume tables constructed from a previous search ((“Total\_tables 14xx’ This value indicates the total number of Volume tables that have been configured and found at a previous search. This is the number that will automatically be expected to be found upon net startup.”) column 62 lines 12-16), a function for changing file attributes ((“Control is then passed to process 1370 where commands to get attributes of a file are managed by the metadata server. Control is then passed to process 1372 where commands to set the attributes of a file are managed by the metadata server.”) column 53 lines 13-17), and a publishing function of the replicated data ((“These results are replicated to each servers copy of the dynamic RAM resident configuration database 120A2-B2, the results are published and received by processes 104PC on server 104C, and the lock 120D1 is removed.”) column 8 lines 25-29).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate a data replication system comprising replications operations that are conducted on catalog search results, a method for changing file attributes, and a publishing function as taught by Wolff with a data replication system as taught by Midgley et al., as modified by Tripp and Anderson et al., for the purpose of metadata catalog services in a grid computing environment.

Claims 25-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Midgley et al. (US 20030074378 A1) in view of James (US 6910038 B1).

Consider claims 25-26. Midgley et al. discloses a replication server configured to generate at least one graphical user interface and conduct data replication operations including directory-based replication operations in response to user selections on the graphical user interface ((“This system can provide a user interface that will allow the user to select a network consumption limit that is representative of the users selected limit for the amount of network bandwidth to be allocated to the backup replication process and the agent process.”) paragraph 0019 (“The replicated data structure 54 also provides directories, subdirectories and data records.”) paragraph 0040).

However, Midgley et al. fails to disclose a replication server comprising a replica location index. James discloses a method for host processing comprising a computing node having a replica location index, the replica location index configured to map logical names to a local replica catalog ((“One embodiment of a record data structure is illustrated in FIG. 2B. Typical data fields include, as illustrated, the file parent of the data file. This information is used to map the file path to the data file in its destination

location in order to locate the file on the destination CD. The volume label index is additional location identification information naming the source volume of the data file.

The file size identifies the exact size of the file in bytes (or other suitable units of measure) to be used in calculating and identifying the destination location of the data and in making the determination which files will be sent to system cache memory during the writing operation. Files that are sent to system cache memory are further identified by the location in the system cache memory which holds the data file as described in greater detail below, and the file size is used to calculate that location.

The logical block number identifies the destination location by the logical block where the data file will be written. The file time is the most recent modification time of the data file. This provides both the time and the date of the file, and can be used, for example, in both cataloging as well as differentiating between two identically named files. The file source path is the complete path to the data file in order to locate and read the file during the recording operation, and the file attributes include such information as whether the file is a system file, a read-only file, if it is a hidden file, and whether it is an archive file.”) column 5 lines 3-27).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate a method for host processing comprising a computing node having a replica location index, the replica location index configured to map logical names to a local replica catalog as taught by James with a replication server configured to generate at least one graphical user interface and conduct data replication operations including directory-based replication operations in



response to user selections on the graphical user interface as taught by Midgley et al. for the purpose of grid hosting.

Consider claim 29. Midgley et al., as modified by James, discloses a system wherein a replication server is configured to invoke a replica location service associated with a grid ((“The database can include pointers to the location of the different versions of the target files on the tape, thereby providing more rapid access to the location on the tape that includes the information a user may want to restore.”) paragraph 0041).

Consider claim 30. Midgley et al., as modified by James, discloses a system wherein a replication server is configured to access at least one replica location index ((“Additionally, in an optional environment the systems may include a catalog process that can record metadata that is representative of the locations of the versions of the target files on the storage medium to thereby create an index for accessing these versions of the target file.”) paragraph 0021).

Claim 28 is rejected under 35 U.S.C. 103(a) as being unpatentable over Midgley et al. (US 20030074378 A1) in view of James (US 6910038 B1) and in further view of Wolff (US 6886035 B2).

Consider claim 28. Midgley et al., as modified by James, discloses a system for backing up data files comprising host processing methods. However, Midgley et al., as modified by James, fails to disclose a system comprising a replication server configured to conduct publishing operations, replication operations on search results, and change attributes associated with a file. Wolff discloses a system wherein a replication server is configured to conduct publishing operations ((“These results are replicated to each

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servers copy of the dynamic RAM resident configuration database 120A2-B2, the results are published and received by processes 104PC on server 104C, and the lock 120D1 is removed.”) column 8 lines 25-29), conduct replication operations on search results ((“Total\_tables 14xx’ This value indicates the total number of Volume tables that have been configured and found at a previous search. This is the number that will automatically be expected to be found upon net startup.”) column 62 lines 12-16), and change attributes associated with a file ((“Control is then passed to process 1370 where commands to get attributes of a file are managed by the metadata server. Control is then passed to process 1372 where commands to set the attributes of a file are managed by the metadata server.”) column 53 lines 13-17).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate a system wherein a replication server is configured to conduct publishing operations, conduct replication operations on search results, and change attributes associated with a file as taught by Wolff with a system for backing up data files comprising host processing methods as taught by Midgley et al., as modified by James, for the purpose of a grid data mirroring package.

### ***Response to Arguments***

Applicant’s arguments filed 15 May 2008 with respect to claims 1, 11, 16 and 24 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

Any response to this Office Action should be faxed to (571) 273-8300 or mailed to:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Hand-delivered responses should be brought to

Customer Service Window  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Mark Fearer whose telephone number is (571) 270-1770. The Examiner can normally be reached on Monday-Thursday from 7:30am to 5:00pm.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Nathan Flynn can be reached on (571) 272-1915. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status

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information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free) or 571-272-4100.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist/customer service whose telephone number is (571) 272-2600.

Mark Fearer  
M.D.F./mdf  
July 23, 2008

/Nathan J. Flynn/

Supervisory Patent Examiner, Art Unit 2143